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6

7 IN THE UNITED STATES DISTRICT COURT  
8 FOR THE EASTERN DISTRICT OF CALIFORNIA

9

10 GUADALUPE HERNANDEZ,

11 Plaintiff,

12 v.

13 JO ANNE B. BARNHART,  
Commissioner of  
Social Security,

14 Defendant.

15 Case No. 2:05-CV-00380-GGH

16

17 **STIPULATION AND ORDER OF  
REMAND PURSUANT TO  
SENTENCE SIX OF 42 U.S.C. §  
405(g)**

18 IT IS HEREBY STIPULATED by the parties, through their undersigned attorneys, and with  
the approval of the Court as provided below, that this case will be remanded for further administrative  
proceedings pursuant to the sixth sentence of 42 U.S.C. § 405(g). The Commissioner has been unable  
to locate the claim file and therefore cannot prepare the administrative transcript. Upon remand, the  
Commissioner will continue to search for the claim file. When the claim file has been located, a  
Certified Administrative Transcript will be prepared for filing as part of the Commissioner's answer  
in this case.

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1 The parties further stipulate that counsel for Plaintiff will provide a facsimile of this  
2 stipulation bearing counsel's signature for retention in Defendant's case file, and hereby authorizes  
3 counsel for Defendant to file this document in .pdf format under the latter's Electronic Case Filing  
4 password, pursuant to Local Rule 7-131

5  
6 DATED: February 2, 2006

/s/ Ann M. Cerney  
7 ANN M. CERNEY

8 Attorney for Plaintiff

9 DATED: February 2, 2006

10 MCREGOR W. SCOTT  
11 United States Attorney

12 By: /s/ Bobbie J. Montoya

13 BOBBIE J. MONTOYA  
14 Assistant U. S. Attorney

15 Attorneys for Defendant

16 OF COUNSEL:

17 LUCILLE GONZALES MEIS  
18 Chief Counsel, Region IX

19 ELIZABETH FIRER  
20 Assistant Regional Counsel

21 Office of the General Counsel  
22 U. S. Social Security Administration

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## ORDER

For good cause shown, HERNANDEZ v. BARNHART (Case No. 2:05-CV-00380-GGH) is hereby REMANDED under sentence six of 42 U.S.C. § 405(g), pursuant to the stipulation of the parties.

**SO ORDERED.**

**DATED: 2/8/06**

/s/ **Gregory G. Hollows**

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**GREGORY G. HOLLOWES**  
**UNITED STATES MAGISTRATE JUDGE**

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